

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7597

Joint Petition of Central Vermont Public Service)
Corporation ("CVPS") and Vermont Electric Power)
Company, Inc. and Vermont Transco LLC ("VELCO"))
for a Certificate of Public Good pursuant to 30 V.S.A)
§ 248 authorizing: the reconductoring of 3.9 miles of)
46 kV transmission line in Middlebury and Weybridge,)
Vermont; construction of a new 46 kV transmission line)
5 miles in length in Weybridge and New Haven,)
Vermont; expansion of the CVPS Hewitt Road)
substation, including the installation of a 46 kV)
5.4 MVAR capacitor bank, in Bristol, Vermont;)
installation of new substation breakers at the VELCO)
Middlebury substation in Middlebury, Vermont; and)
installation of new substation breakers at the VELCO)
New Haven substation in New Haven, Vermont)

Entered: 8/20/2010

CERTIFICATE OF PUBLIC GOOD ISSUED
PURSUANT TO 30 V.S.A § 248

IT IS HEREBY CERTIFIED that the Public Service Board of the State of Vermont ("Board") this day found and adjudged that the proposed reconductoring of 3.9 miles of Central Vermont Public Service Corporation's ("CVPS") 46 kV transmission line in Middlebury and Weybridge, Vermont, (2) the construction of a new CVPS 46 kV transmission line 5 miles in length in Weybridge and New Haven, Vermont, (3) the expansion of the CVPS Hewitt Road substation, including the installation of a 46 kV 5.4 MVAR capacitor bank, in Bristol, Vermont, (4) the installation of a new substation breaker, a new switch and associated relay equipment (in the control room) at the Vermont Electric Power Company ("VELCO") Middlebury substation in Middlebury, Vermont, and (5) the installation of new substation breakers at the VELCO New Haven substation in New Haven, Vermont, will promote the general good of the State of

Vermont, and a Certificate of Public Good is hereby issued to CVPS and VELCO (collectively, the "Petitioners"), subject to the following conditions:

1. Construction, operation and maintenance of the project shall be in accordance with the plans and evidence submitted in this proceeding.
2. Prior to commencing construction, the Petitioners shall obtain all necessary permits and approvals. Construction, operation, and maintenance of the proposed Project shall be in accordance with such permits and approvals, and with all other applicable regulations, including those of the Vermont Agency of Natural Resources.
3. Construction activities shall be allowed only between the hours of 7:00 a.m. and 7:00 p.m. on weekdays, and between 9:00 a.m. and 7:00 p.m. on weekends and holidays.
4. CVPS shall install a surface liner and temporary berm structure as an oil-containment measure for the temporary substation at the Hewitt Road substation site. Prior to commencement of construction for the temporary substation, CVPS shall file, for Board approval, a proposed plan for the oil-containment system. Parties shall have one week, from the date this plan is filed with the Board, to comment on the plan.
5. CVPS shall file a site plan, for Board approval, showing the details of its proposed mitigation plantings in the area around pole 56. In addition, if the Board does not approve in Docket No. 6860 the revision to that docket's mitigation requirement, then CVPS shall file, for Board approval, alternative mitigation plans for the area around pole 56. CVPS shall install vegetative screening in accordance with its approved plan.
6. At the Bingham Farm property in New Haven, CVPS shall: (i) plant two blue spruce trees and a line of apple trees or other compatible species on the property, with the purpose of screening the adjacent home and farmstand from a pole structure carrying both electrical conductors and a set of distribution voltage regulators; (ii) attempt to relocate an existing distribution anchor to a location more convenient for lawn maintenance; and (iii) limit construction activities, when the farmstand is operational, to the hours before 3:00 p.m.
7. Upon completion of construction in the areas of poles 56 and the Brigham Farm property, CVPS shall meet with the affected landowners and the Vermont Department of Public Service to determine the exact placement of all trees, and submit a proposed final plan to the

Board for approval. Upon approval of the plan for the placement of trees by the Board, CVPS shall act expeditiously to have such trees planted.

8. Upon completion of construction, CVPS shall remove the existing distribution circuit tie switch adjacent to Pole 4 on the new 46 kV line.

9. CVPS shall submit to the Board and parties, and implement, project-specific plans approved by the Department of Fish & Wildlife ("DFW") for management of Indiana bat habitat. In addition, CVPS shall make all good-faith efforts to develop and adopt, in cooperation with the DFW and VELCO, a set of Best Management Practices for transmission line maintenance in identified areas of Indiana bat habitat in Vermont, on or before June 30, 2011.

10. CVPS shall identify VT-AD-1512, VT-AD-1513, VT-AD-1514, VT-AD-1515, VT-AD-1516, VT-AD-1518, and the five archeologically sensitive segments of off-corridor access roads as not-to-be-disturbed archeological buffer zones on all relevant site plans.

11. Topsoil removal, grading, scraping, cutting, filling, stockpiling, logging or any other type of ground disturbance is prohibited within the archeological buffer zones prior to the completion of all appropriate archeological studies. Agricultural cultivation is permissible in the currently cultivated portions of the buffer zones provided it is consistent with past practice.

12. Archeological studies in accordance with the April 30, 2010, Phase III Mitigation Scope of Work prepared by the Northeast Archeology Research Center (NEARC) will be carried out by a qualified consulting archeologist in any portion of the archeologically sensitive access roads prior to use, or within any new project component.

13. Exclusionary fencing constructed of snow fencing or other structural barrier shall be erected around VT-AD-1512, VT-AD-1513, VT-AD-1514, VT-AD-1515, VT-AD-1516, VTAD-1518, and any other significant archeological site identified within the project area during all construction activity. All access routes through a site area shall be similarly marked and all construction activity must occur on top of protective matting placed on the existing ground surface to prevent any ground disturbance.

14. All archeological studies and assessments must be conducted by a qualified consulting archeologist and must follow DHP's Guidelines for Conducting Archeological Studies in

Vermont. The permittee's archeological consultant must submit any scope of work to the DHP for review and approval.

15. Archeological sites within the project area shall not be impacted until any necessary mitigation measures have been carried out. Mitigation may include but is not limited to further site evaluation, data recovery, redesign of one or more proposed project components, or specific conditions that may be imposed during construction, such as installation of construction barriers or protective matting.

16. Proposed archeological mitigation measures shall be discussed with and approved by the DHP prior to implementation, and a copy of all mitigation proposals shall be filed with the Board. The archeological studies shall result in one or more final reports, as appropriate, that meet the DHP's Guidelines for Conducting Archeological Studies in Vermont. Copies shall be submitted both to the DHP and to the Board.

17. CVPS's archeological consultant shall conduct public outreach and education activities minimally consisting of the following: posting of multiple "exhibits" on the Vermont Archeology Museum; an in-field open house; and one public presentation synthesizing the archeological results.

18. Any new or revised project plans shall be submitted to the DHP for review as soon as they become available.

19. The Board retains jurisdiction to review aesthetic mitigation measures post-construction and to require additional mitigation measures as the Board determines to be appropriate.

20. This Certificate of Public Good shall not be transferred without prior approval of the Board.

Dated at Montpelier, Vermont, this 20th day of August, 2010.

<u>s/ James Volz</u>)	PUBLIC SERVICE
)	
)	BOARD
<u>s/ David C. Coen</u>)	
)	OF VERMONT
)	
<u>s/ John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: August 20, 2010

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)